

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DAVID JOERN and DENNIS
JOERN,

Plaintiffs,

v.

OCWEN LOAN SERVICING,
LLC, a Florida corporation, et al.

Defendants.

NO. CV-10-134-JLQ

**ORDER DENYING MOTION FOR
PRELIMINARY INJUNCTION**

On April 30, 2010, Plaintiffs filed a Motion for Preliminary Injunction (Ct. Rec. 2). While it appears that time may be of the essence in view of the pending foreclosure, the Motion did not comply with the Local Rules (L.R.) of this District. L.R. 7.1. requires the filing of a Memorandum setting forth points and authorities relied upon and a Notice of Hearing. Local Rule 5.1 requires proof of service to be attached to each document. Plaintiffs have not yet filed proof of service for either the Complaint or the Motion. Moreover, there is no declaration yet filed setting forth the manner in which Notice of the Motion was given, or attempted to be given, to any of the Defendants. Fed.R.Civ.P. 65 provides that the court may issue a preliminary injunction only on Notice to the adverse party. Accordingly, Plaintiffs' Motion for Preliminary Injunction is **DENIED** without prejudice. Plaintiff may re-file the Motion in compliance with L.R. 7.1, L.R. 5.1(b), and Fed.R.Civ. 65.

DATED this 6th day of May, 2010.

~~s/ Justin L. Quackenbush~~
JUSTIN L. QUACKENBUSH
SENIOR UNITED STATES DISTRICT JUDGE